

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
FILED

DEC 21 2001

Michael N. Wilby, Clerk

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MARK NEWBY,

Plaintiff,

v.

CIVIL ACTION NO. H-01-3624

ENRON CORPORATION, *et al.*,

Defendants,

-----x

**PULSIFER & ASSOCIATES' MOTION TO BE APPOINTED LEAD PLAINTIFF AND  
FOR APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

Plaintiff Pulsifer & Associates ("Pulsifer"), the plaintiff in the related action Pulsifer & Associates v. Kenneth L. Lay, *et al*, C.A. No. H-01-4356, hereby moves this Court for an order, (i) appointing Pulsifer as Lead Plaintiff to represent a class consisting of purchasers of Enron Corporation ("Enron" or the "Company") 7% Exchangeable Notes due July 31, 2002 (the "Notes") in the securities actions consolidated before this Court in the Order of Consolidation dated December 12, 2001 and in any subsequently filed related action, pursuant to Section 21D(a)(3)(B)(i) of the Securities Exchange Act of 1934 [15 U.S.C. § 78u-4(a)(3)(B)(i)]; and (ii) approving Plaintiff's selection of the law firms Shapiro Haber & Urmy LLP and Wolf Popper LLP as lead counsel and Beirne, Maynard & Parsons, L.L.P. as liaison counsel, pursuant to Section 21D(a)(3)(B)(v) of the Securities Exchange Act of 1934 [15 U.S.C. § 78u-4(a)(3)(B)(v)].

Class Member Murray Van de Velde, who also purchased Notes, supports this motion and moves, in the alternative, that he be appointed Lead Plaintiff in the event that for any reason Pulsifer is not appointed or is unable to serve as Lead Plaintiff. He also requests that the law firms identified above be approved as lead counsel and liaison counsel, respectively. A

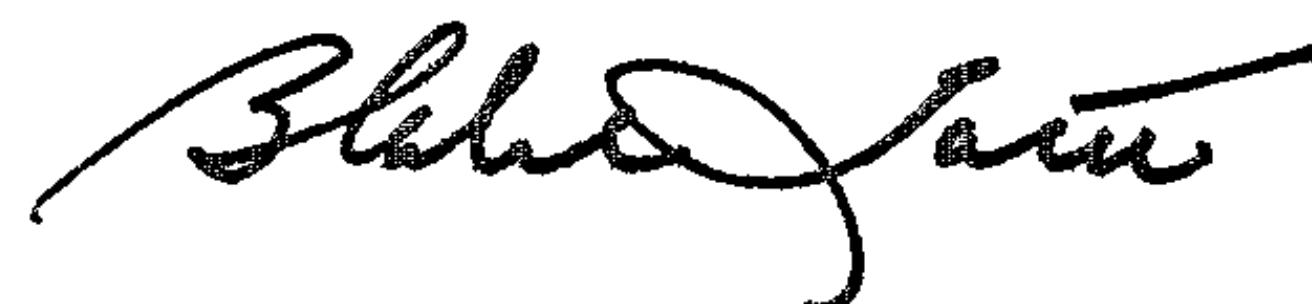
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certification executed by Van de Velde is attached to the Shapiro Declaration as Exhibit 7.

Pulsifer makes this motion based on the complaints filed in the securities actions consolidated with the Newby action, the Memorandum of Law In Support of Pulsifer's Motion To Be Appointed Lead Plaintiff And For Approval Of Its Selection Of Lead Counsel, and the Declaration of Thomas G. Shapiro, submitted herewith.

Dated: December 21, 2001

By its attorneys,



BEIRNE, MAYNARD & PARSONS, L.L.P.  
Martin D. Beirne  
Texas State Bar No. 02055000  
Blake Tartt  
Texas State Bar No. 00000058  
Wells Fargo Bank Tower  
25th Floor, 1300 Post Oak Boulevard  
Houston, Texas 77056-3000  
Tel: 713-623-0887

OF COUNSEL:

SHAPIRO HABER & URMY LLP  
75 State St.  
Boston, MA 02109  
Tel.: 617-439-3939

WOLF POPPER, LLP  
845 Third Avenue  
New York, NY 10022  
Tel: (212) 759-4600

### **Certificate of Service**

I hereby certify that on this 21 day of December, 2001, a copy of the foregoing was served on the following counsel for defendants by facsimile, hand-delivery, or overnight mail:

James D. Baskin, III, Esq.  
**Baskin Bennett & Komkov LLP**  
919 Congress Avenue  
Suite 1000  
Austin, TX 78701  
512-381-6301  
512-322-9280 (Fax)

**Burt & Pucillo**  
Northbridge Centre  
Suite 1701  
515 North Flagler Drive  
West Palm Beach, FL 33401  
561-835-9400  
561-835-0322 (Fax)

Sherrie R. Savett, Esq.  
**Berger & Montague**  
1622 Locust Street  
Philadelphia, PA 19103  
215-875-3000  
215-875-5715 (Fax)

Mike Egan, Esq.  
**Bernstein Liebhard & Lifshitz, LLP**  
10 East 40th Street  
New York, NY 10016  
212-779-1414  
212-779-3218 (Fax)

Glen DeValerio, Esq.  
**Berman DeValerio Pease Tabacco**  
**Burt & Pucillo**  
One Liberty Square  
Boston, MA 02109  
617-542-8300  
617-542-1194 (Fax)

Anthony Bolognese, Esq.  
**Bolognese & Associates, LLC**  
One Penn Center  
1617 JFK Boulevard, Suite 650  
Philadelphia, PA 19103  
215-814-6750  
215-814-6764 (Fax)

Joseph J. Tabacco, Jr.  
**Berman DeValerio Pease Tabacco** **Burt & Pucillo**  
425 California Street  
Suite 2025  
San Francisco, CA 94104  
415-433-3200  
415-433-6382 (Fax)

Peter D. Bull, Esq.  
**Bull & Lifshitz, LLP**  
18 East 41st Street  
New York, NY 10017  
212-213-6222  
212-213-9405 (Fax)

Michael J. Pucillo, Esq.  
**Berman DeValerio Pease Tabacco**

Robin L. Harrison, Esq.  
**Campbell Harrison & Wright L.L.P.**  
4000 Two Houston Center  
900 Fannin Street  
Houston, TX 77010  
713-752-2332  
713-752-2330 (Fax)

Paul J. Geller, Esq.  
**Cauley Geller Bowman & Coates, LLP**  
One Boca Place, Suite 421A

2255 Glades Road  
Boca Raton, FL 33431  
561-750-3000  
561-750-3364 (Fax)

Steven E. Cauley, Esq.  
**Cauley Geller Bowman & Coates, LLP**  
P.O. Box 25438  
Little Rock, AR 72223  
501-312-8500  
501-312-8505 (Fax)

Steven J. Toll, Esq.  
**Cohen, Milstein, Hausfeld & Toll, P.L.L.C.**  
1100 New York Avenue, NW  
West Tower, Suite 500  
Washington, DC 20005  
202-408-4600  
202-408-4699 (Fax)

Richard J. Zook, Esq.  
**Cunningham, Darlow, Zook & Chapoton, LLP**  
1700 Chase Tower  
600 Travis  
Houston, TX 77002  
713-659-5500  
713-255-5555 (Fax)

R. Douglas Dalton, Esq.  
Ron Kilgard, Esq.  
**Dalton Gotto Samson & Kilgard, P.L.C.**  
Suite 900  
National Bank Plaza  
3101 North Central Avenue  
Phoenix, AZ 85012  
602-248-0088  
602-248-2822 (Fax)

Michael D. Donovan, Esq.  
**Donovan Searles, LLC**  
1845 Walnut Street  
Suite 1100  
Philadelphia, PA 19103

215-732-6067  
215-732-8060 (Fax)  
  
Vincent R. Capucci, Esq.  
**Entwistle & Capucci**  
299 Park Avenue  
14th Floor  
New York, NY 10171  
212-894-7200  
212-894-7273 (Fax)

William B. Federman  
**Federman & Sherwood**  
120 North Robinson  
Suite 2720  
Oklahoma City, OK 73102  
405-235-1560  
405-239-2112 (Fax)

Jeffrey Krinsky, Esq.  
**Finkelstein & Krinsky**  
501 West Broadway  
Suite 1250  
San Diego, CA 92101  
619-238-1333  
619-238-5425 (Fax)

George M. Fleming, Esq.  
**Fleming & Associates**  
1330 Post Oak Boulevard  
Suite 3030  
Houston, TX 77056  
713-621-7944  
713-621-9638 (Fax)

Gwendolyn Giblin, Esq.  
**Gold Bennett Cera & Sidener LLP**  
595 Market Street  
Suite 2300  
San Francisco, CA 94105  
415-777-2230

415-777-5189 (Fax)

Eli Gottesdiener, Esq.  
**Gottesdiener Law Firm**  
3901 Yuma Street, NW  
Washington, DC 20016  
202-243-1000  
202-537-1989 (Fax)

Richard Frankel, Esq.  
**Hackerman Peterson Frankel & Manela, P.C.**  
1122 Bissonnet  
Houston, TX 77005  
713-528-2500  
713-528-2509 (Fax)

Steve W. Berman, Esq.  
**Hagens Berman**  
1301 Fifth Avenue  
Suite 2900  
Seattle, WA 98101  
206-623-7292  
206-623-0594 (Fax)

Thomas E. Bilek, Esq.  
**Hoeffner Bilek & Eidman, L.L.P.**  
440 Louisiana Street  
Suite 720  
Houston, TX 77002  
713-227-7720  
713-227-9404 (Fax)

Marc H. Edelson, Esq.  
**Hoffman & Edelson, LLC**  
45 West Court Street  
Doylestown, PA 18901  
877-537-6532  
215-230-8735 (Fax)

Corey Holzer, Esq.  
**Holzer & Holzer**  
6135 Barfield Road, NE  
Suite 102  
Atlanta, GA 30328  
404-847-0085

404-847-0036 (Fax)

Frederic S. Fox, Esq.  
**Kaplan Fox & Kilsheimer LLP**  
805 Third Avenue  
22nd Floor  
New York, NY 10022  
212-687-1980  
212-687-7714 (Fax)

Laurence D. King, Esq.  
**Kaplan Fox & Kilsheimer LLP**  
100 Pine Street  
26th Floor  
San Francisco, CA 94111  
415-336-1238  
415-677-1233 (Fax)

Lynn Lincoln Sarko, Esq.  
**Keller Rohrback, L.L.P.**  
1201 Third Avenue  
Suite 3200  
Seattle, WA 98101  
206-623-1900  
206-623-3384 (Fax)

Alfred G. Yates, Jr.  
**Law Offices of Alfred G. Yates, Jr.**  
519 Allegheny Building  
429 Forbes Avenue  
Pittsburgh, PA 15219  
412-391-5164  
412-471-1033 (Fax)

Deborah R. Gross, Esq.  
**Law Offices of Bernard M. Gross, P.C.**  
1515 Locust Street  
2nd Floor  
Philadelphia, PA 19102  
215-561-3600  
215-561-3000 (Fax)

Charles J. Piven, Esq.  
**Law Offices of Charles J. Piven**  
World Trade Center-Baltimore  
104 East Pratt Street  
Suite 2525  
Baltimore, MD 21202  
410-986-0036

Curtis Trinko, Esq.  
**Law Offices of Curtis V. Trinko, L.L.P.**  
16 West 46th Street  
Floor 7  
New York, NY 10036  
212-490-9550  
212-986-0158 (Fax)

Frank W. Morgan, Esq.  
**Law Offices of Frank W. Morgan & Associates, P.C.**  
1776 Woodstead Court  
Suite 228  
The Woodlands, TX 77380  
281-367-9200  
281-367-2453 (Fax)

Kenneth Elan, Esq.  
**Law Offices of Kenneth Elan**  
217 Broadway  
Suite 606  
New York, NY 10007  
212-619-0261  
212-385-2707 (Fax)

Klari Neuwelt, Esq.  
**Law Offices of Klari Neuwelt**  
110 East 59th Street  
New York, NY 10022  
212-593-8800  
212-593-9131 (Fax)

Leo W. Desmond, Esq.  
**Law Offices of Leo W. Desmond**

2161 Palm Beach Lakes Boulevard  
Suite 204  
West Palm Beach, FL 33409  
888-337-6663

Lionel Z. Glancy, Esq.  
**Law Offices of Lionel G. Glancy**  
1801 Avenue of the Stars  
Suite 311  
Los Angeles, CA 90067  
310-201-9150  
310-201-9160 (Fax)

Marc S. Henzel, Esq.  
**Law Offices of Marc S. Henzel**  
273 Montgomery Avenue  
Suite 202  
Bala Cynwyd, PA 19004  
610-660-8000  
610-660-8080 (Fax)

Christopher Lovell, Esq.  
**Lovell & Stewart, LLP**  
500 Fifth Avenue  
New York, NY 10110  
212-608-1900  
212-719-4677 (Fax)

Jack E. McGehee, Esq.  
**McGehee & Pianelli, L.L.P.**  
1225 North Loop West  
Suite 810  
Houston, TX 77008  
713-864-4000  
713-868-9393 (Fax)

Melvyn I. Weiss, Esq.  
Steven G. Schulman, Esq.  
**Milberg Weiss Bershad Hynes & Lerach LLP**  
One Pennsylvania Plaza  
New York, NY 10119  
212-594-5300  
212-868-1229 (Fax)

William S. Lerach, Esq.

**Milberg Weiss Bershad Hynes & Lerach  
LLP**

600 West Broadway  
Suite 1800  
San Diego, CA 92101  
619-231-1058  
619-231-7423 (Fax)

George H. Niblock, Esq.  
**Niblock Law Firm**  
324 North College Avenue  
P.O. Drawer 818  
Fayetteville, AR 72702  
501-521-5510  
501-444-7608 (Fax)

Marvin L. Frank, Esq.  
**Rabin & Peckel LLP**  
275 Madison Avenue  
New York, NY 10016  
212-682-1818  
212-682-1892 (Fax)

Clay Ragsdale, Esq.  
**Ragsdale & Wheeler, LLC**  
The Farley Building  
Suite 550  
1929 Third Avenue  
Birmingham, AL 35203  
205-251-4775  
205-251-4777 (Fax)

Fred E. Stoops, Sr.  
**Richardson Stoops Richardson & Ward**  
The Richardson Building  
6555 South Lewis Avenue  
Suite 200  
Tulsa, OK 74136  
918-492-7674  
918-493-1925 (Fax)

Thomas W. Sankey, Esq.  
**Sankey & Luck, L.L.P.**  
600 Travis Street  
Suite 6200  
Houston, TX 77002

713-224-1007  
713-223-7737 (Fax)

Andrew M. Schatz, Esq.  
**Schatz & Nobel, P.C.**  
330 Main Street  
Hartford, CT 06106  
860-493-6292  
860-493-6290 (Fax)

Roger B. Greenberg, Esq.  
**Schwartz, Junell, Campbell & Oathout,  
LLP**

Two Houston Center  
909 Fannin  
Suite 2000  
Houston, TX 77010  
713-752-0017  
713-752-0327 (Fax)

David R. Scott, Esq.  
**Scott & Scott, LLC**  
108 Norwich Avenue  
Colchester, CT 06415  
860-537-3818  
619-231-7423 (Fax)

Thomas G. Shapiro, Esq.  
**Shapiro Haber & Urmy LLP**  
75 State Street  
Boston, MA 02109  
617-439-3939  
617-439-0134 (Fax)

Scott Shepherd, Esq.  
**Shepherd & Finkelman, LLC**  
117 Gayley Street  
Suite 200  
Media, PA 19063  
610-891-9880  
610-891-9883 (Fax)

Richard B. Drubel, Jr., Esq.  
**Boies Schiller & Flexner LLP**  
26 South Main Street  
Hanover, NH 03755  
603-643-9090  
603-643-9010 (Fax)

James E. Coleman, Jr., Esq.  
**Carrington Coleman Sloman & Blumenthal LLP**  
200 Crescent Court  
Suite 1500  
Dallas, TX 75201  
214-855-3000  
214-855-1333 (Fax)

Robin C. Gibbs, Esq.  
Kathy D. Patrick, Esq.  
**Gibbs & Bruns LLP**  
1100 Louisiana  
Suite 5300  
Houston, TX 77002  
713-650-8805  
713-750-0903 (Fax)

Elizabeth H. Baird, Esq.  
**O'Melveny & Myers, LLP**  
555 13th Street, NW  
Washington, DC 20004  
202-663-8515  
202-663-8007 (Fax)

Charles F. Richards, Esq.  
**Richards, Layton & Finger, P.A.**  
P.O. Box 551  
Wilmington, DE 19899  
302-651-7738  
302-651-7701 (Fax)

Russell Hardin, Jr., Esq.  
**Rusty Hardin & Associates**  
1201 Louisiana  
Suite 3300  
Houston, TX 77002  
713-652-9000  
713-652-9800 (Fax)

Craig Smyser, Esq.  
**Smyser, Kaplan & Veselka, LLP**  
700 Louisiana  
Suite 2300  
Houston, TX 77002  
713-221-2300  
713-221-2320 (Fax)

Stephen D. Susman, Esq.  
**Susman Godfrey L.L.P.**  
1000 Louisiana Street  
Suite 5100  
Houston, TX 77002  
713-651-9366  
713-654-6666 (Fax)

-and-

James E. Coleman, Jr., Esq.  
**Wilmer Cutler & Pickering**  
2445 M Street, NW  
Washington, DC 20037  
202-663-6000  
202-663-6363 (Fax)

**DEFENDANTS' COUNSEL**



**BLAKE TARTT**

Robert M. Roseman, Esq.  
**Spector, Roseman & Kodroff, P.C.**  
1818 Market Street  
Suite 2500  
Philadelphia, PA 19103  
215-496-0300  
215-496-6612 (Fax)

Tzivia Brody, Esq.  
**Stull, Stull & Brody**  
6 East 54th Street  
New York, NY 10017  
212-687-7230  
212-490-2022 (Fax)

John G. Emerson, Jr., Esq.  
**The Emerson Firm**  
P.O. Box 25336  
Little Rock, AR 72221  
832-723-8850  
501-537-4888 (Fax)

John G. Emerson, Jr.  
**The Emerson Firm**  
2600 South Gessner  
Suite 600  
Houston, TX 77063  
832-723-8850  
713-789-0033 (Fax)

Frederick W. Gerkins, III, Esq.  
**Wechsler Harwood Halebian & Feffer LLP**  
488 Madison Avenue  
New York, NY 10022  
212-935-7400  
212-753-3630 (Fax)

**Weiss & Yourman**  
The French Building  
551 Fifth Avenue  
Suite 1600  
New York, NY 10176  
212-682-3025  
212-682-3010 (Fax)

Alex N. Kapetan, Jr., Esq.  
**Wites & Kapetan, PA**  
1761 West Hillsboro Boulevard  
Suite 403  
Deerfield Beach, FL 33442  
954-570-8989  
954-428-3929 (Fax)

Jeffrey G. Smith, Esq.  
**Wolf Haldenstein Adler Freeman & Herz, LLP**  
270 Madison Avenue  
New York, NY 10016  
212-545-4600  
212-545-4653 (Fax)

Damon Young, Esq.  
**Young, Pickett & Lee**  
4122 Texas Boulevard  
Texarkana, TX 77503  
870-774-3206  
903-792-5098 (Fax)

-and-

Jeffrey C. Zwerling, Esq.  
**Zwerling, Schachter & Zwerling, LLP**  
767 Third Avenue  
New York, NY 10017  
212-223-3900  
212-371-5969 (Fax)

#### **PLAINTIFFS' COUNSEL**